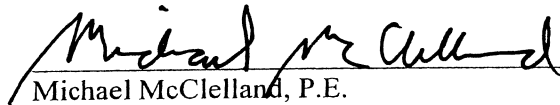


1.5 DECLARATION/STATUTORY DETERMINATION

The selected remedy for the marsh crust at Alameda Facility/Alameda Annex and Alameda Point and the former subtidal area at Alameda Point is protective of human health and the environment. It complies with federal and state requirements that are legally applicable or relevant and appropriate to the remedial action and is cost-effective. This remedy makes use of permanent solutions to the maximum extent practicable. However, the selected remedy does not satisfy the statutory preference for remedies that employ treatment to reduce toxicity, mobility, or volume of contaminants as a principal element. Treatment was not considered to be easily implementable or cost-effective for the marsh crust and former subtidal area at Alameda Facility/Alameda Annex and Alameda Point.

Because the selected remedy may allow hazardous substances to remain on site above levels that allow for unrestricted use, a statutory review will be conducted within 5 years after remedial action begins to ensure that the selected remedy for the former subtidal area and marsh crust continues to provide adequate protection of human health and the environment.

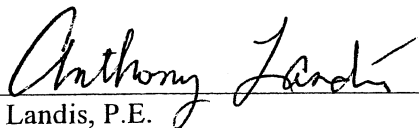

Michael McClelland, P.E.
BRAC Environmental Coordinator
Alameda Facility/Alameda Annex and Alameda Point

Feb 1, 2001
Date

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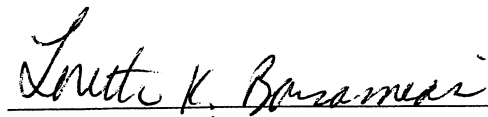
Anthony Landis, P.E.
Chief, Northern California Operations,
Office of Military Facilities
California Environmental Protection Agency,
Department of Toxic Substances Control

2-2-01
Date

1.5 DECLARATION/STATUTORY DETERMINATION

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Because the selected remedy may allow hazardous substances to remain on site above levels that allow for unrestricted use, a statutory review will be conducted within 5 years after remedial action begins to ensure that the selected remedy for the former subtidal area and marsh crust continues to provide adequate protection of human health and the environment.



Loretta K. Barsamian
Executive Officer
California Regional Water Quality Control Board

1.12.01
Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

VIA FACSIMILE
(619) 532-1554

February 13, 2001

Mr. Dana Sakamoto
Engineering Field Division Southwest, BRAC Offices
1220 Pacific Highway
San Diego, CA 92132

Re: Remedy Approval for Marsh Crust at FISC Alameda Annex and Marsh Crust and Former Subtidal Area at Alameda Naval Air Station

Dear Mr. Sakamoto:

The U.S. Environmental Protection Agency (U.S. EPA) has received and reviewed "Final Remedial Action Plan/Record of Decision for Marsh Crust at Fleet and Industrial Supply Center Oakland Alameda Facility/Alameda Annex and for Marsh Crust and Former Subtidal Area at Alameda Point" (Final Marsh Crust RAP/ROD). The Final Marsh Crust RAP/ROD was prepared by Tetra Tech EM Inc., on behalf of the Department of the Navy (Navy) and is dated January 10, 2001.

Based upon review of the Final Marsh Crust RAP/ROD and as our formal response to the final submittal, U.S. EPA agrees with the selection of Land Use Controls as the established remedy for Marsh Crust at FISCO Alameda Annex and Marsh Crust and Former Subtidal Area at Alameda Naval Air Station. U.S. EPA is providing approval for the remedy, as opposed to concurrence, because we consider the Marsh Crust Land Use Controls to be a non-NPL remedy.

If you have any questions, please contact me at (415) 744-2420 or you may also call Phillip Ramsey of my staff at (415) 744-2365.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel A. Meer".

Daniel A. Meer
Chief, Federal Facilities Cleanup Branch

Copy to: (attached)